

FILED
ORIGINAL
May 14 2010

Supreme Court No.
DA -0616

4/26/10

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

William Nigro

Petitioner and Appellant

V

City of Billings

Respondent and Appellee

Motion

FILED

MAY 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

That the Supreme Court
give the Appellant Section
of the State Public Defender's
Office permission to send me
an application to have the
Defender's Office represent
me in this case.

Also, an extension of time
if necessary.

Forgive me for not communicating sooner. As the
enclosed medical records will indicate, since early March I have
been undergoing emergency medical treatment at Billings
Clinic. As you will note, the bones in my hips had developed
"Necrosis" which means the wet capules were dying due to
the grinding of bone upon bone. The pain was unbelievable.

In Municipal Court on December 11, 2009 the Judge told
me she was going to file me if my appeal to the Supreme Court
was not accepted.

On December 28, 2009, the appeal was filed.

As you can confirm with Sandra and Angela in

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The Helena Public Defenders office, Since Early January I have been calling the Public Defenders office in Helena.

Each time the routine was the same. I would introduce myself and ask for an application for a public defender to be mailed to me.

The result was always the same. They would say yes, right away it will be in the mail this afternoon

During January & February I called five times and communicated with 2 young men & three young women.

I, even though my knees & hips ached, get making the 12 block journey (each way) to the post office.

I couldn't understand why there was nothing in the mail. With no financial resources the public Defender was my only hope to have legal representation.

At the beginning of march the pain in my hips & knees was so intense it was killing me. Thereby I consented to begin a month long series of chiropractic shops to relieve the pain and delay immediate hip replacement surgery. (see enclosed medical records)

While I was undergoing treatment, somehow I connected with Sandra in the appellate section of the Defenders office. It was almost heart breaking. She informed me that these young people did not inform me of the proper procedure. The truth she revealed was to make a motion to the court.

③

It was a blessing that somehow I was able to connect with the truthful source Sandra. You can confirm with Sandra that I informed her that I was undergoing treatment with cortisone shots and was having an adverse reaction to the shots and was so 'out of it' that I didn't think I could cogently respond until the pain finally subsided.

Please note the enclosed letters to Sandra, Rondi Hood, and the office of disciplinary counsel,

In my mind & the spirit of truth, dating back to early January when I began calling the Defender's Office if I would have been told the correct truth as received a letter conveying the truth at the proper procedure to attain an appellate lawyer, I would have responded immediately and this case could have progressed.

The continual journeys to the post office aggravated and inflamed my hips to such a severe degree that I needed emergency medical treatment.

This case is important because it originated due to a lying witness who perjured himself in court and a lying policeman who perjured himself in court.

At great pain I have conscientiously and ethically done everything to get an application for a Appellant Public Defender.

In my mind I would request that this case not be dismissed and I would have a chance to start fresh.

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regarding the timing because the Helena Detenders office was in error with misinformation concerning the proper procedure to obtain an Appellant lawyer.

Only in the last two days have I recovered enough that I can stand up without intolerable pain that drains my whole Nervous system with total helplessness to defend myself.

Please don't dismiss this case and give me a chance to get an application for a public defender.

I'm happy to communicate that there is no opposition

from Billings Deputy City Attorney. Thank you,

copy of Certificate of Service
enclosed

William F. Negro
P.O. Box 2584
Billings, MT 59103

☒ hand delivering a true and correct copy on the 3 day of

May, 2010 to:
(month) (year)

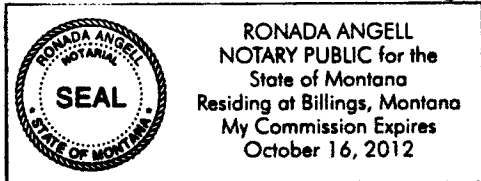
(opposing party's name or name of opposing party's attorney, if he/she has one)

DATED this 6 day of May, 2010
(date) (month) (year)

William J. Nigro
(Your signature)

State of Montana
County of Yellowstone

SIGNED AND SWORN (OR AFFIRMED) to before me on May 6, 2010
by William J. Nigro.



Ronada Angell
Notary Public for the State of Montana
Residing at Billings MT
My Commission Expires: October 16, 2012